

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARDO MENDIA,

Plaintiff,

v.

JACKSON ET AL,

Defendant.

No. C 11-03785 CRB


ORDER DISMISSING CASE

When Plaintiff failed to timely oppose Defendants' Motion to Dismiss (dkt. 11), the Court ordered him to show cause by Monday, November 28, 2011 why this case should not be dismissed for failure to prosecute, per Federal Rule of Civil Procedure 41(b), see dkt. 15. Plaintiff failed to respond by that date, nor has he responded since that date. Accordingly, Plaintiff's case is DISMISSED.

Although Plaintiff has also failed to timely oppose Defendants' Motion to have him declared a vexatious litigant (dkt. 12), the Court will not grant that Motion at this time. Instead, the Motion will be heard on January 13, 2011, as scheduled.

IT IS SO ORDERED.

Dated: December 20, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE